

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MILANA DRAVNEL,

*Plaintiff,*

— against —

OSCAR DE LA HOYA, and JOHN and/or JANE  
DOES 1&2,

*Defendants.*

Case No.: 07-cv-10406

Hon. Laura T. Swain

**REPLY DECLARATION OF JUDD BURSTEIN**

JUDD BURSTEIN, ESQ., hereby declares under penalty of perjury:

1) I am an attorney duly admitted to practice law before the Bar of this Court.  
2) I represent Defendant Oscar de la Hoya ("Defendant") in this action.  
3) I submit this Reply Declaration in further support of Defendant's Motion to Compel Arbitration. More specifically, I submit this Declaration (a) to demonstrate that Plaintiff Milana Dravnel ("Plaintiff") was available to sign a new Declaration explicitly stating that she never consulted a lawyer after signing the agreement at issue on this motion, and (b) to authenticate an exhibit referenced in the accompanying Reply Memorandum of Law.

4) On February 15, 2008, a conference with the Court was scheduled for 3:30 p.m. As I walked up Worth Street at approximately 3:10 p.m., I saw a large group of photographers and television cameras, with Plaintiff and her attorney, Mr. Strazzullo, approaching.

5) As the Court may recall, Plaintiff was not present in the courtroom on the day of the conference. As evidenced by the newspaper articles attached hereto as Exhibit A, Plaintiff apparently felt the conference was not important enough for her to appear, because Mr. de la Hoya was not attending. In any event, her presence that day outside the Courthouse — confirmed

*JB*

by, *inter alia*, Exhibit A hereto – makes clear that she could have submitted a new Declaration in this case.

6) Of course, the only reason why the press thought Mr. de la Hoya was coming to the conference was that Mr. Strazzullo (a) had falsely told Page Six of the *New York Post* the day before that Mr. de la Hoya was “being hauled into Court” for the conference (Exhibit B hereto), and (b) sent out a press release falsely announcing the supposed appearance of Mr. de la Hoya in court (see *New York Times* article annexed as part of Exhibit A).

7) The scene at the Courthouse was part of the most unprofessional public relations campaign by a lawyer I have seen in over 25 years of practice. In the false story he gave to the *New York Post* about “hauling” Mr. de la Hoya into Court (itself a violation of DR 102-4(a)(4)’s ban on a lawyer engaging “in conduct involving ... misrepresentation”), Mr. Strazzullo is quoted as stating that “I hope De La Hoya is wearing something red and not revealing to the courthouse. We’ll leave that lingerie look for the jurors to see when we get to Milana’s photos.” (Exhibit B hereto). Mr. Strazzullo has also (a) leaked the filing of the lawsuit to the *New York Post*, plainly in return for the paper referring to him as a “high-powered attorney” (Exhibit C hereto); (b) made clear to a *New York Post* columnist that he was bringing this lawsuit as a strike suit by telling her that Defendant is “gonna want to settle it.... Not to have an Isiah Thomas incident, a Bill Clinton incident. Paula Jones. Monica Lewinsky. You name it!” (Exhibit D hereto); and (c) falsely told the *New York Daily News* (again a violation of DR 104-4(a)(4)) that Plaintiff was prepared to dismiss the case voluntarily if Mr. de la Hoya would simply apologize.

(Exhibit E hereto). This conduct is disgraceful, and it is very unfortunate that a member of the Bar of this Court would engage in it.

8) Annexed hereto as Exhibit F is a true and accurate copy of Plaintiff's original Complaint, dated November 14, 2007.

**WHEREFORE**, your Declarant prays for an Order granting Defendant's Motion to Compel Arbitration.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 4th day of March, 2008, in London, England.

  
\_\_\_\_\_  
JUDD BURSTEIN

## EXHIBIT A

February 16, 2008

## In the Case of the Model vs. the Boxer, a Court Showdown That Wasn't

By **ALAN FEUER**

This one you couldn't miss. The press release was just too good.

"Media Alert\*\*\*Media Alert\*\*\* Media Alert," it read. "Oscar De La Hoya Reunites With Ex-Mistress in Federal Court Over Sexy Lingerie Photos."

Which is to say, not your average Friday in Manhattan at the Southern District of New York.

Some hearings are about the law; some are about the facts. But Friday's hearing, at which Mr. De La Hoya, the boxer, was due in court for his reunion, was simply about the show.

The ex-mistress, Milana Dravnel, appeared outside the courthouse, surrounded by the various mutts and rats who carry pads and cameras in New York. Her patent leather handbag matched her boots.

"I've been hurt by Oscar," she told the gathered press. "This is my only option. I just want to move on with a positive outcome."

Her lawyer, Salvatore Strazzullo, spelled his name for the television cameras. His watchband matched his topcoat.

"How you doin', guys?" he inquired of the reporters. "We just want the truth to come out. We just want to restore the reputation, the integrity, of my client."

His client — a model and a former striptease dancer once employed by the nightclub Scores — filed a \$25 million lawsuit against Mr. De La Hoya in November. The suit accuses him of fraud, defamation and the infliction of emotional distress, charging that he forced Ms. Dravnel to recant a story that she told last year on the television program "Entertainment Tonight."

That story concerned some photographs said to have been taken of Mr. De La Hoya one night last May at the Ritz-Carlton hotel in Philadelphia. They showed Mr. De La Hoya, a 35-year-old welterweight, dressed in fishnets and a tutu. The pictures, as they sometimes do, found their way onto the Internet. Mr. De La Hoya argued that they were altered. After going on TV to say that they were real, Ms. Dravnel then told The Daily News that they were not.

Now she claims that one of Mr. De La Hoya's lawyers coerced her into signing an agreement to change her mind — an accusation that his current lawyers say is false. Since recanting, her lawsuit says, she has suffered "severe levels of stress, anxiety and depression."

Ms. Dravnel, 22, arrived outside the courthouse shortly after 3. She was dressed in black except for her pearl silk blouse. Her voice was soft, with a gentle Russian purr. She told the microphones that she had not been a stripper for at least a year and a half and in fact was trying "something else." Mr. Strazzullo played the role of her protector. "He called her a liar, a fake, 'just a stripper,' " he said of Mr. De La Hoya. "Well, a stripper, maybe, but at a place he frequented many times."

Inside the courthouse, the action was somewhat less active. Mr. De La Hoya had decided not to appear. When Ms. Dravnel was told of this, she turned around and left. The whole point, Mr. Strazzullo said, had been to see the man in court.

That left a hearing to be held with neither a defendant nor a plaintiff. The judge came in, set a schedule for motions, then stood and left.

Judd Burstein, Mr. De La Hoya's lawyer, wandered over to a passel of reporters.

"So was it really worth the trip?" he asked. "I think the real story is that all of you"— and here he used a vulgar Yiddish word — "actually showed up."

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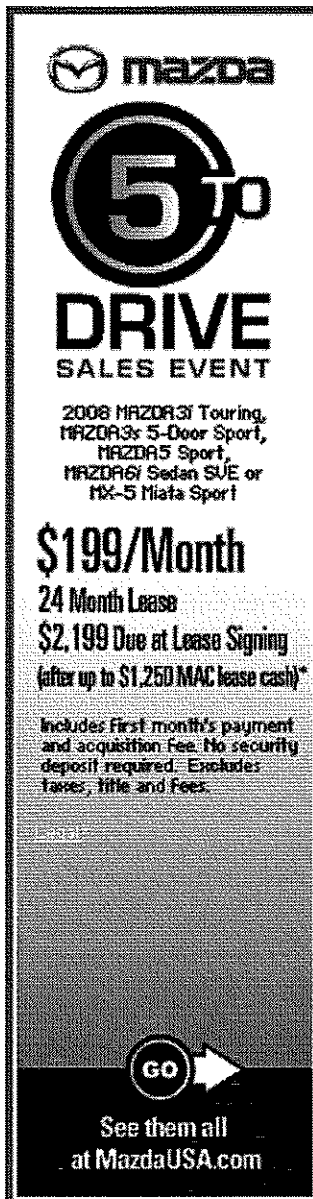
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# NEW YORK POST

## OH BABY, SOCK IT TO HIM!

By KATI CORNELL



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February 16, 2008 -- A stunning ex-stripper was dressed to kill for her first courtroom showdown with boxer Oscar De La Hoya, but wound up feeling like she took a blow to the gut when her adversary failed to show.

Siberian-born beauty Milana Dravnel, 22, posed for a crush of cameras as she arrived at Manhattan federal court yesterday for Round 1 of her \$25 million defamation suit - sporting her best game face, a slinky, black coat, skirt and tall, leather boots.

Dravnel, who released photos showing De La Hoya dressed in drag and then sued the boxer after he called the pictures fakes, said she had no choice but to take legal action after her reputation was smeared.

"I've been hurt by what Oscar said. This was my only option," said Dravnel, who has been trying to launch a modeling career.

"I just want to move on with a positive outcome," she said.

But inside the courthouse, Dravnel was mysteriously absent from the brief scheduling hearing before Judge Laura Taylor Swain.

"She was scared. She got sick in the bathroom. This isn't easy on her," Dravnel's lawyer, Salvatore Strazzullo, said afterward, explaining she left when she realized De La Hoya wasn't coming.

"We really thought Oscar was going to be there."

Still, Dravnel was able to compose herself to strut for the cameras a second time upon exiting the courthouse and told reporters, "It is a shame that he didn't come."

Outside of court, Strazzullo defended the authenticity of the risqué photos that show De La Hoya dressed in fishnet stockings, panties and sporting a wig.

The lawyer said Dravnel had every right to sell them because of their "newsworthiness."

The former stripper claims she met the married De La Hoya while dancing at Scores West on 28th Street in late 2006.

She says she snapped the pictures at the Ritz-Carlton Hotel in Philadelphia during one of their many booze-fueled trysts.

De La Hoya's lawyer, Judd Bernstein, countered that Dravnel admitted to doctoring the photos after the boxer exposed them as fakes and that she entered into a formal agreement not to distribute them or

make statements against him.

"He didn't reach out to her. She reached out to him," said Bernstein, who is pushing to have the lawsuit dismissed and to settle the case in arbitration.

Dravnel, who is now involved in producing a burlesque show in Brooklyn, originally filed a \$100 million lawsuit in state court in November but reduced the amount after the case was transferred to federal court.

Round 2 in the legal battle is scheduled for May.

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## EXHIBIT B

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Section: Page Six

FRIDAY PUNCH

OSCAR De La Hoya (above) is in for a lousy post-Valentine's Day. The married boxing champ is being hauled into court tomorrow by former Scores stripper Milana Dravnel, who sold pictures of De La Hoya in drag and told tales about their hotel room trysts. Now she's suing him because he said she lied and doctored the photos and "intimidated" her. Dravnel's lawyer, Salvatore Strazullo, told us, "I hope De La Hoya is wearing something red and not revealing to the courthouse. We'll leave that lingerie look for the jurors to see when we get to Milana's photos."

---- INDEX REFERENCES ----

Language: EN

OTHER INDEXING: (DE LA HOYA; OSCAR DE LA HOYA; SCORES) (Dravnel; Milana; Milana Dravnel; Salvatore Strazullo)

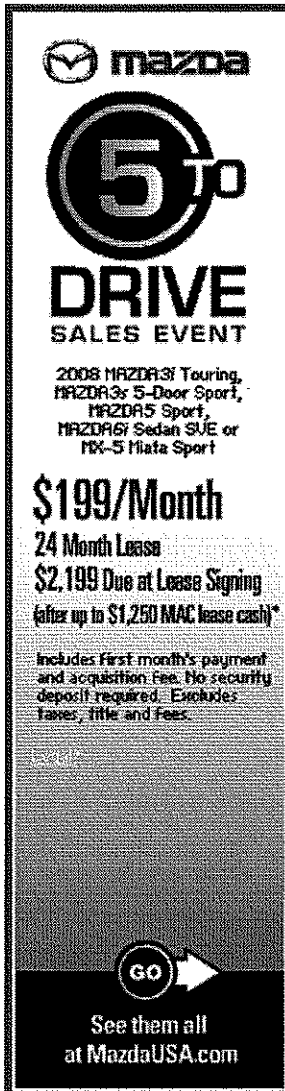
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EXHIBIT C

# NEW YORK POST

## RINGS HIS BELL

By PAULA FROELICH



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November 15, 2007 -- The stunning Siberian-born stripper who sold widely circulated pictures of boxer Oscar de la Hoya strutting his stuff in drag will file a \$100 million lawsuit today against the "Golden Boy" charging him with unleashing a smear campaign against her to stop the photos from emerging, The Post has learned.

Smoking-hot Milana Dravnel, 22, will file the papers this morning in Manhattan state Supreme Court against de la Hoya and two unnamed defendants for alleged fraud, defamation, interference with contract, infliction of emotional distress and undue influence, her lawyer said.

"[They] did everything [they] could to thwart her being able to sell this, saying they weren't real, photo-shopped, and that she didn't know what she was doing . . . that she was just a stripper," said her high-powered attorney Salvatore Strazullo. He says people in de la Hoya's camp contacted his client and threatened her to keep silent and keep the damaging photographs to herself.

"There were so many people involved. Phone calls from people saying they were FBI agents or speaking on behalf of FBI agents. They did everything," Strazullo said. "It's the perfect case of David against Goliath and she got Goliath Junior on their case."

When the pictures emerged publicly in September, Dravnel sold them for \$70,000 to a West Coast photo agency. De la Hoya's camp denied they were real and insisted they had been doctored.

But Dravnel was adamant from the start that they were real. The lusty-lipped lap dancer claims she had a yearlong affair with the former super welterweight champ during which he exhibited a penchant for wearing women's lingerie. She said he loved to be called "Goldie" in homage to his boxing moniker, "The Golden Boy."

Dravnel - who met de la Hoya while dancing at Scores West on 28th Street in Manhattan - says the pictures in question were snapped during a boozy night at the Ritz-Carlton Hotel in Philadelphia.

Strazullo said the two broke it off in May, and since then de la Hoya - who is married and is expecting a new child with his wife, singer Millie Corretjer -

wanted to keep the steamy pics under wraps.

"He knew these pictures were out there and tried to preliminarily thwart exposure," Strazullo said. "He told her he wanted to give her the world. He was portraying himself as gold, but it was fool's gold."

[paula.froelich@nypost.com](mailto:paula.froelich@nypost.com)

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**EXHIBIT D**

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November 16, 2007

Section: News

# SLINKY TRAMP KO'D KINKY CHAMP; BABE: I'LOVED' MY GIRLY BOY HOYA

Andrea **Peyser**

A MESSAGE to budding gold diggers: Keep your cameras ready, girls.

As a Siberian native, a Scores stripper and a gal who looks out for No. 1, Milana Dravnel knew well the secrets that boxer Oscar de la Hoya carried below the belt.

Hint: Oscar enjoyed a nice thong, high heels and fishnet stockings - under his own shorts.

And late at night, he had Milana call him "Goldie."

Milana, 22, whirled into my world yesterday, to talk, or not, about the \$100 million lawsuit she's filed against de la Hoya. Because - are you ready? - her erstwhile, cross-dressing lover ruined her payday, and her reputation, such as it is, by saying the pictures were fake.

Wouldn't you?

With a straight face, and occasional tears, Milana began to spill the tender romance between the nekkid dancer and the man who wore pasties into the ring.

"I thought he was cute. I liked him. We had fun," Milana confided before her lawyer - a cross between a bulldog and Chihuahua named Salvatore **Strazzullo** - jumped in, for the 500th time, just to piss me off.

"This is a serious case!" he protested. "We don't want to get into the relationship . . .

"He's gonna want to settle it," **Strazzullo** ran on.

"Not to have an Isiah Thomas incident, a Bill Clinton incident. Paula Jones. Monica Lewinsky. You name it!"

So I suppose I could discuss French literature with the tender Score-let, or the price of the euro. But I'd much rather talk about Oscar's man-size garter belt, his furry skirt, the plus-size hose.

They met in Scores' private room, where de la Hoya picked slender Milana from seven busty babes. She swears she was fully dressed. She spent the evening closing the door on Oscar's manager, who wanted him home.

She saw him twice a month, in hotels, restaurants, private planes. Hotels. Kink followed.

"It was for laughs," Milana said of de la Hoya's impersonation of Liza Minnelli, which she smartly documented on film. "I don't think there is anything wrong with it. I don't believe he's gay."

In May, after a year of bump and grind, de la Hoya just stopped calling.

"I was in love," Milana said, erupting in pretty tears. "I think he was afraid."

But Milana didn't get mad. She sold the pictures of her fishnetted ex for \$70,000.

And now, she's suing. Heaven help the man who crosses a Siberian scorned.

"It's not that I did it out of revenge. I did it out of being hurt," she said.

"Like when you break up with someone and they don't treat you rightfully, you just don't look out for their best interests."

From now on, I'm carrying a camera. You never know whom you'll meet.

---- INDEX REFERENCES ----

COMPANY: OSCAR

INDUSTRY: (Entertainment (1EN08); Celebrities (1CE65))

Language: EN

OTHER INDEXING: (ISIAH THOMAS; LIZA MINNELLI; MESSAGE; OSCAR; SALVATORE STRAZZULLO; SCORES; STRAZZULLO) (Clinton; Heaven; Hoya; Kink; Milana; Monica Lewinsky; Paula Jones; SLINKY TRAMP KO)

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New York Daily News  
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November 25, 2007

Section: GOSSIP

GATECRASHER. Oh, baby ! Paris focus in Nicole pics piracy

BEN WIDDICOMBE

A picture is worth a thousand words - and possibly several thousand dollars. Nicole Richie and rocker Joel Madden held their baby shower at the Beverly Hills Hotel last Sunday, with exclusive coverage granted to InStyle magazine. But early last week, pirated pics of "The Wizard of Oz"-themed party were being offered by a source to competing magazines. And one pal suspects Richie frenemy Paris Hilton (r.) might have had something to do with it. "All the photos that were offered had Paris right in the center of them, as the star," sniffs the insider. "They look set up."

The pics, priced at around \$3,000 to \$4,000, did not sell since the celebrity tabloids closed early last week, due to Thanksgiving.

But in the opinion of our conspiracy theorist: "None of the money would have been for Paris - for her it's about the attention."

Hilton's rep told us: "Paris was a hostess of the shower, which a large number of people attended. Many of these guests were taking photos with camera phones . . . there is no way she had anything to do with this."

Trying to Score an apology

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Call it the \$100 million apology.

Milana Dravnel is the former Scores dancer who snapped those infamous pics of Oscar de la Hoya in drag. And she is prepared to drop her \$100 million lawsuit if the boxer publicly apologizes, says her lawyer, Salvatore Strazzullo.

The suit alleges de la Hoya "defrauded" and "defamed" Dravnel in his response to the scandal because she was an exotic dancer.

"If there is an offer, it's not about a settlement," Strazzullo told us. "It's about an apology and untarnishing my client's image."

Deadly serious presidential debate

Next October's presidential candidate debate in Hempstead, L.I., will be the first in the state for 48 years. And let's hope nobody dies this time!

Broadcasting legend Joe Franklin was recording his talk show in the studio next to Richard Nixon and John F. Kennedy when they squared off in 1960.

"I had a man drop dead on my program once," he told Webster Hall's Baird Jones. "I think I said I was so old I went back to when the Dead Sea was only sick. It was a bad joke. I thought [the guest] was laughing; he started to snort and then he fell on the floor.

"Nixon and Kennedy came racing in and tried to revive him. It was at the Channel 7 building. They tried to revive the man from the floor, but he was gone."

So who seemed more concerned, the Democrat or the Republican?

"Nixon and Kennedy could not have cared less about the heart attack," Franklin shrugged. "They were so used to it."

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Gossip front woman Beth Ditto says Britney Spears' unconventional parenting is a Southern thing, y'all. "She's from Louisiana; I'm from Arkansas," the curvy lead singer tells Spin magazine. "When I go home, guess what's in those baby bottles? Mountain Dew. I'm not saying it's right, but it's just normal. People fail to see that regional culture is a massive part of a person's experience." N.Y. Ranger Sean Avery (l.) was spotted flirting with a model-type girl named Erin after his loss to the Islanders Monday night. Paparazzi chimed in to wish Spice Girl Mel B "Happy Birthday!" as she left L.A. nightclub Hyde last week. The singer smiled and laughed . . . and didn't bother correcting them that she was born May 29.

DON'T SHOOT THE MESSENGER

Which local singer who was opening for the national tour of a well-known alt-country act lost the fake nail she was using as a guitar pick? When she finally tracked it down, the headlining band was using it to cut up cocaine lines in the back of their tour bus.

----- INDEX REFERENCES -----

COMPANY: BEVERLY HILLS HOTEL; OSCAR

NEWS SUBJECT: (Crime (1CR87); Social Issues (1SO05))

INDUSTRY: (Entertainment (1EN08); Celebrities (1CE65); Smuggling & Illegal Trade (1SM35))

REGION: (Europe (1EU83); USA (1US73); Americas (1AM92); North America (1NO39); France (1FR23); Western Europe (1WE41))

Language: EN

OTHER INDEXING: (BEVERLY HILLS HOTEL; GATECRASHER; MINUTE GOSSIP; NY RANGER SEAN AVERY; OSCAR; YORK) (Beth Ditto; Britney Spears; Broadcasting; Deadly; Franklin; Girl Mel; Joe Franklin; Joel Madden; John F. Kennedy; Kennedy; Nixon; Paparazzi; Richard Nixon; Salvatore Strazzullo.; Strazzullo; Webster Hall)

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